

Table of Contents

1	Introduction.....	2
1.1	Project Overview	2
1.2	Planning Permit Requirements	2
1.3	Statutory Approval Process.....	2
1.4	Accompanying Documents	3
2	Site Context.....	5
2.1	The Subject Site	5
2.2	Strategic Context	6
2.3	Key Contextual Cues	7
3	Proposal	9
3.1	Built Form Details.....	9
3.2	Street Activation	10
3.3	Façade Design.....	10
3.4	Apartment Layout.....	11
3.5	Parking, Access and Loading.....	11
4	Town Planning Context	13
4.1	Zone	13
4.2	Overlays	13
4.3	Particular Provisions	14
5	Key Planning Considerations	17
5.1	Alignment with Planning Policy.....	17
5.2	Community Benefits.....	19
5.3	Built Form and Urban Design Outcomes	19
5.4	Management of Adjoining Interfaces	20
5.5	Internal Amenity for Future Occupants	20
5.6	Management of Offsite Amenity Impacts	21
5.7	ESD Performance.....	22
6	Conclusion	23
Appendix A – Copy of Title		
Appendix B – Planning Property Report		
Appendix C – Clause 58 Assessment		

1 Introduction

1.1 Project Overview

This report accompanies an application to the State Government's Development Facilitation Program for the land at 2-6 Ballarat Street and 14-18 Ovens Street, Brunswick ('Site') and its use and development for an eight storey mixed-use building. Planning & Property Partners Pty Ltd is engaged as town planning consultants on behalf of *Assemble*.

The proposal is to be delivered through the *Assemble Housing Model*, an innovative new pathway to home ownership, which provides a bridge between renting and purchasing a home in response to the home ownership and affordability challenge evident across metropolitan Melbourne. This is a fundamental component of the application and demonstrates a measurable broader community benefit within the Brunswick Major Activity Centre ('MAC').

The proposal is for an eight storey mixed-use building which has been designed to retain and adaptively reuse key elements of the existing heritage building on the Site and address each of its street frontages. The building is to contain a large retail space; various resident community facilities and spaces; and 172 residential apartments of varying sizes, layouts, and bedroom typologies.

The Site and project forms part of *Assemble's* Tranche 1 submission to the Development Facilitation Program following the earlier application made to the State Government's fast-track pilot program Building Victoria's Recovery Taskforce ('BVRT') in response to the COVID-19 Pandemic. This application follows ongoing correspondence with senior Department representatives and following their review of *Assemble's* earlier BVRT submission. This application and Tranche 1 submission, provides a complete and comprehensive planning package in response to the Department's additional information requests and to facilitate the development's approval through the Development Facilitation Program process.

1.2 Planning Permit Requirements

The Site is located within the Mixed Use Zone ('MUZ') and is affected by the Design and Development Overlay – Schedule 18 ('DDO18'); the Heritage Overlay – Schedule 385 ('HO385'); the Development Contributions Plan Overlay – Schedule 2 ('DCPO2'); and the Environmental Audit Overlay ('EAO') pursuant to the provisions of the Moreland Planning Scheme ('Planning Scheme'). Under these planning controls and the particular provisions of the Planning Scheme, a planning permit is required on the Site for:

- Use and development for the purposes of a 'retail premises' within the MUZ;
- Construct two or more dwellings in the MUZ;
- Construct a building and carry out works in DDO18;
- Demolition and to construct a building or construct or carry out works in HO; and
- Reduction in the number of on-site resident and retail car parking spaces pursuant to Clause 52.06-5 of the Planning Scheme.

1.3 Statutory Approval Process

This project is sought to be approved and implemented through the application of the Specific Controls Overlay (SCO) to the Site. The SCO provisions were introduced via Amendment VC148 in July 2018 and has been applied to facilitate planning approvals where there have been particular planning objectives which warrant site specific and proponent specific planning approval where extraordinary circumstances apply. This includes the recent State Government's response to the COVID-19 pandemic where the SCO has been applied to projects through the Department's BVRT program, in order to revitalise Victoria's economy.

The SCO is being rolled out across the Victorian Planning Mapping database to pick up on sites which have traditionally been afforded site specific exclusions from underlying planning scheme provisions. This mapping

exercise brings another level of legibility to those sites where specific controls apply and has been an excellent initiative.

The SCO at Clause 45.12 has as its purpose:

'To apply specific controls designed to achieve a particular land use and development outcome in extraordinary circumstances.'

Moreover, Clause 45.12 includes the following:

'Land affected by this overlay may be used or developed in accordance with a specific control contained in the incorporated document corresponding to the notation on the planning scheme map (as specified in the schedule to this overlay). The specific control may:

- *Allow the land to be used or developed in a manner that would otherwise be prohibited or restricted.*
- *Prohibit or restrict the use or development of the land beyond the controls that may otherwise apply.*
- *Exclude any other control in this scheme.*

The SCO provisions have been selected as the most appropriate means of facilitating planning approval for the *Assemble* projects which amount to the largest portfolio of privately funded social and affordable housing in the nation's history. The *Assemble* proposals cover eight strategic land parcels and in combination offer the following extraordinary contribution of social and affordable housing and economic stimulus:

- Over 600 privately funded social housing dwellings to be managed by the Community Housing Sector;
- Over 2,900 privately funded dwellings with over 60% to be affordable essential worker rentals;
- Over \$1 Billion of construction activity; and
- Over 8,000 full time jobs.

The projects identified by *Assemble* are institutionally funded and can be brought to the point of construction commencement in line with the objectives of the Development Facilitation Program and are truly 'shovel ready'.

The application of the SCO provision to the portfolio of *Assemble* projects is proposed to be implemented via the application of an incorporated document for each proposal, which references the plans and conditions for the approval and which will function in the same way as a planning permit. This approach will facilitate the re-development of each site for the variety of uses proposed and associated development which will enable the significant community benefits to be released on each strategic land parcel, including provision of social housing and affordable housing both through an innovative new pathway to home ownership and through social and affordable build to rent ('BTR') dwellings.

The SCO control provides a clear direction for the urban renewal of each site, through incorporating documents into the respective Planning Scheme. The SCO will be site specific and will enable development in support the State Government's objective to stimulate the economy, ultimately fast-tracking the approval process. This approach will enable early commencement of construction and realisation of the community benefits offered by each proposal and specific stimulus to the construction sector of the economy and in turn delivering a truly extraordinary opportunity for the State of Victoria.

1.4 Accompanying Documents

This report is accompanied by detailed architectural plans and an 'Urban Context Report' prepared by *FIELDWORK* and has been further informed by the accompanying consultant reports as follows:

- 'Landscape Concept Package' prepared by *Rush\Wright Associates*;
- 'Waste Management Plan' prepared by *Traffix Group Pty Ltd*;
- 'Traffic Engineering Assessment' prepared by *Traffix Group Pty Ltd*;
- 'Sustainability Management Plan' prepared by *Atelier Ten Pty Ltd*; and

- 'Heritage Impact Statement' prepared by *Bryce Raworth Pty Ltd*

2 Site Context

2.1 The Subject Site

The Site comprises three allotments formally referred to as:

- Lot 1 on Title Plan 838517A (2-6 Ballarat Street, Brunswick);
- Lot 1 on Title Plan 6929878U (14 Ovens Street, Brunswick); and
- All of the land within Plan of Consolidation 158970K (16-18 Ovens Street, Brunswick).

A copy of the Site's title documents is provided at **Appendix A**. It is recognised that part of the Site referred to as 2-6 Ballarat Street has a covenant stating that this '*...shall not be used for the purpose of carrying on thereon or on any part thereof the business or businesses of a timber merchant or joinery manufacturer.*' The proposal does not breach the restrictions enforced by this covenant.

A drainage easement also runs along the southern boundary of part of the Site referred to as 14 Ovens Street.



Figure 1 - Subject Site

Source: www.nearmap.com

As shown in Figure 1 above, the Site is located on the northern side of Ballarat Street, on its north-east corner intersection with Ovens Street, approximately 40 metres west of its intersection with Sydney Road.

The Site is irregular in shape, maintain a frontage to Ballarat Street for approximately 40 metres and a frontage to Ovens Street for approximately 85 metres. The eastern boundary of the Site contains a slight frontage in its south-east corner to a declared Council road (Road ID: 10005_1.0000). Overall, the Site contains a land size area of approximately 3,120 square metres.

The Site is generally flat, and is occupied by:

- A part-one and part-two storey red-brick and modern office/showroom industrial building of heritage significance within the land referred to as 2-6 Ballarat Street formerly referred to as the 'Perucci Shirt Factory';
- A single-storey dwelling within the land at 14 Ovens Street; and
- A private car park within the land at 16-18 Ovens Street.

Each of the existing allotments contain a single width crossover to Ovens Street.

2.2 Strategic Context

The Site is located approximately six (6) kilometres north of the Melbourne CBD and within the defined Brunswick MAC pursuant to *Plan Melbourne 2017-2050* and Clause 21.02 of the Planning Scheme. The immediate area is historically characterised by light industrial uses and retail stores particularly along the eastern Sydney Road frontage, however, is under a current state of change given its MAC status which is resulting in its transformation to a mixed-use area with an increased residential density and built form scale.

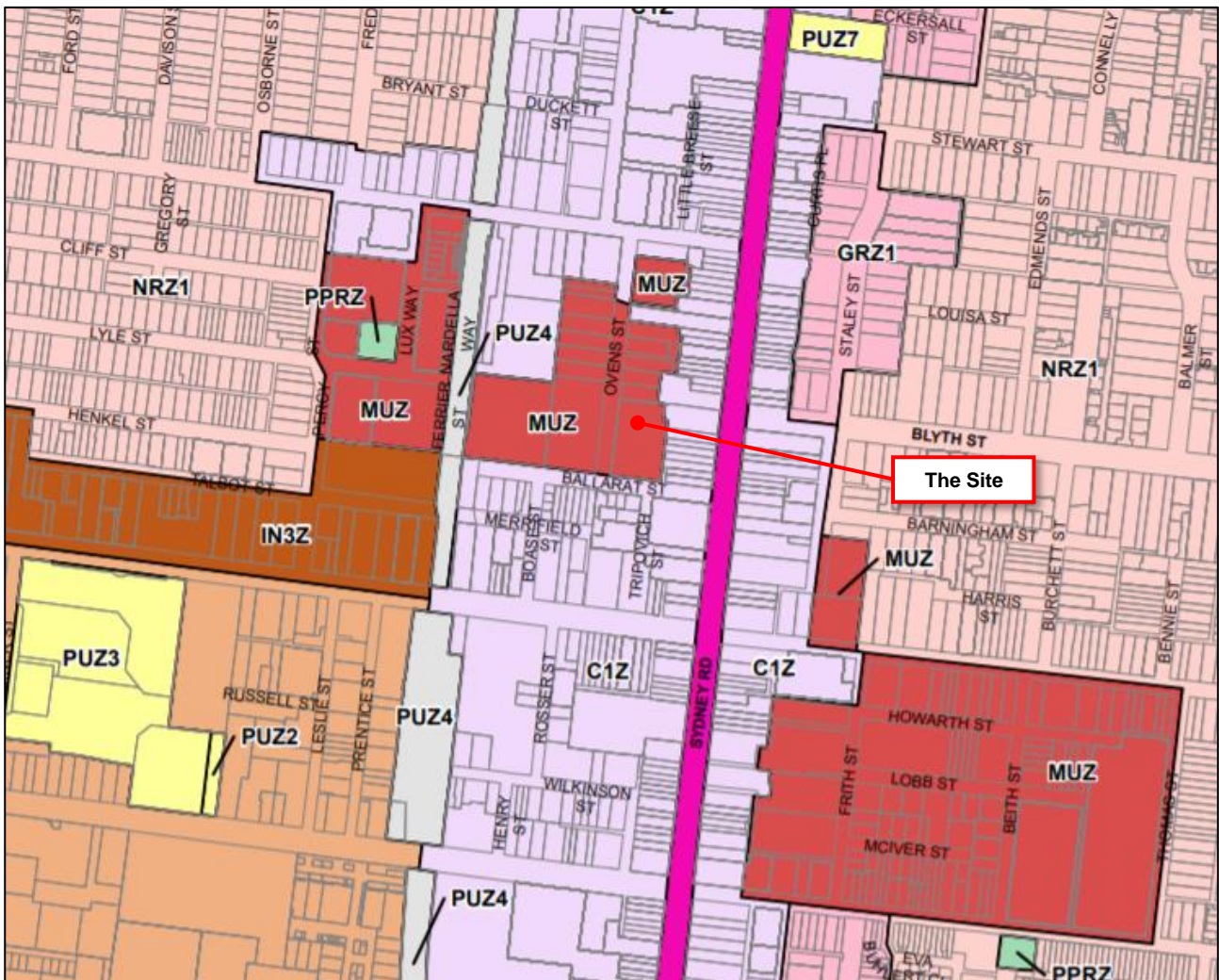


Figure 2 – Zoning controls within the Brunswick MAC

Source: DELWP

The Brunswick MAC is one of three (3) Activity Centres within the Moreland municipality identified to accommodate the most significant change, which is evident in nearby recent planning approvals and applications including opposite the Site at 8 Ballarat Street which maintains planning approval for an eight (8) storey mixed-use building through Planning Permit MPS/2016/854.

The Site offers excellent, walkable access to multiple public transport options including Brunswick Railway Station approximately 350 metres south-west of the Site and forming part of the broader Principal Public Transport Network ('PPTN'). A range of retail, food and beverage outlets, office tenancies, entertainment facilities and full-line supermarkets are contained within the Brunswick MAC and located on or off the Sydney Road spine.

The Site is well serviced by nearby public open space, including Brunswick and Clifton Parks, as well as the upfield bicycle corridor adjacent to the railway tracks and offering direct bicycle and pedestrian connections to the Melbourne CBD.

The excellent location of the Site to the aforementioned facilities intrinsically encourages its use and development for an urban renewal project incorporating a range of uses, including a large retail space and activation to the streetscape, a variety of communal spaces and higher density/affordable residential living.

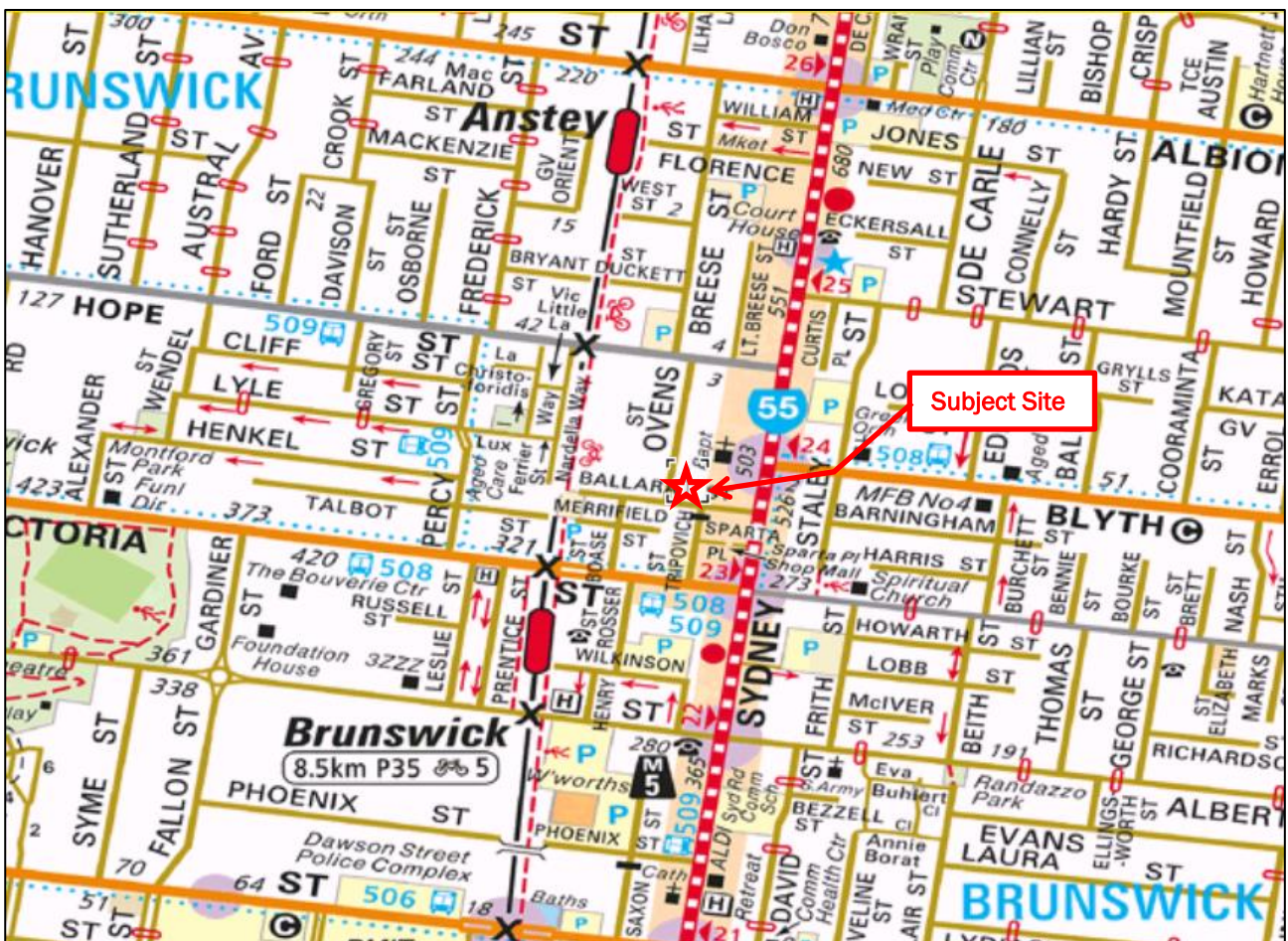


Figure 2 – Site Context

Source: Melway Online

2.3 Key Contextual Cues

The key contextual elements that have been taken into account in informing the preparation of the proposal and design response include:

- The existing heritage building on the Site and its corner presence to Ballarat and Ovens Street and cultural and built form characteristics of the immediate area;
- The anticipated mixed-use character and built form character and outcomes to be achieved within the Brunswick MAC;
- The consolidation and significant land size area of the Site at approximately 3,120sqm;

- Exploration of a truly mixed-use development given the MUZ of the Site and immediate area and variety of uses to provide and take advantage of nearby amenities for future residents;
- The existing generally poor urban realm along the Site's frontages and opportunity to significantly improve this through revitalising the existing heritage building on-site, provision of retail and pedestrian activation at ground floor, passive surveillance and safety enhancements; and wayfinding/connection opportunities to the eastern Sydney Road commercial spine and western rail corridor;
- The need to leverage and optimise underutilised Site's within established areas that can benefit from existing and planned infrastructure and services including the PPTN;
- The industrial past of the area and that of the retained heritage building to influence the architectural response by way of materiality, finishes, colours, and fenestration;
- The development potential of abutting sites to the north and those fronting the eastern Sydney Road corridor in particular the individually significant heritage buildings associated with the Uniting Church.
- The relationship to dwellings approved on the western side of Ovens Street and ensuring no unreasonable off-site amenity impacts will arise to these in context of their location within the Brunswick MAC; and
- Protection of unreasonable overshadowing and visual bulk to the Ballarat and Ovens Streets public realm areas and understanding of their future roles and pedestrian connection opportunities within the MAC.

3 Proposal

The proposal seeks use and development of the Site for the purposes of an eight storey mixed-use building, designed to retain and adaptively reuse key heritage elements of the existing building and providing a large retail tenancy; residential apartments and associated community amenities that are to be delivered via the *Assemble Housing Model*.

The *Assemble Housing Model* is an innovative, new pathway to home ownership in response to the housing affordability issues evident across Metropolitan Melbourne. The *Assemble Housing Model* focuses on providing high quality design, community, and sustainable projects, which are delivered in a rent-to-buy system, offering rent stability, financial coaching along the initial rental period. Various community services are further provided to promote and encourage resident interaction through the generous areas, spaces and events provided with each *Assemble* project.

The proposed development will have a target that a minimum of 70% of all apartment rents and purchase price, are 'affordable' to low-moderate income households consistent with the definitions within the *Planning and Environment Act 1987*

3.1 Built Form Details

The proposed development seeks to retain, revitalise, and re-use the existing heritage building on-site, particularly its presence on the Site's Ballarat Street frontage and returns to other street frontages.

The new built form is designed to complement the retained heritage features, drawing precedent from it and other nearby buildings to influence the materials, finishes and fenestration. The proposal comprises an overall eight (8) storey building above a two storey basement car park and will provide a meaningful architectural and urban design response for this strategic site in achieving an appropriate balance in recognising the noted heritage characteristics while contributing to the Site's urban renewal.

The generous setbacks from the retained heritage building enable a clear old/new built form relationship to be achieved and depth created to the Ballarat Street streetwall as it wraps the street corners ensuring its 3D-form and presence is retained:

Key built form outcomes of the proposal are as follows:

- Retention and adaptive reuse of the existing heritage building as it presents to Ballarat Street and for an approximate depth of 16 metres to the Site's Ovens Street frontage.
- Retention of the saw-tooth roof profile of the existing building along its eastern boundary.
- A maximum eight storey building designed to take advantage of the Site's strategic corner location, orientated to face the street frontages with a central 6.1 metre separation of built form provided with five metre minimum light court width. This separation creates a series of light courts for secondary daylight amenity, natural cross ventilation to all apartments and external circulation space, bridging the building and providing excellent resident and user comfort.
- A generous 6.5 metre setback to the retained heritage building as it presents to Ballarat Street for Levels 2 – 6, before setting this back to 9.3 metres on the uppermost level to assist in recessing its presentation to this frontage.
- To Ovens Street, a break is provided from the heritage building's return along this frontage before providing a four storey streetwall. A varied design presentation is achieved through staggering the building line, walk-up ground floor apartments and punctuated balcony sizes/cut-outs on the streetwall upper levels.
- A generous 4.5 metre break and recess in built form is provided to highlight and identify the principal pedestrian entrance and lobby area to Ovens Street.
- Above the Ovens Street streetwall, the building is setback a minimum 7.8 metres at Levels 4 – 6, with projecting balconies. The uppermost level is again further setback a minimum 10.7 metres to recess and

remove its presence from the streetscape, continuing the treatment applied along the Ballarat Street front and ensuring solar access is provided to the public realm and western side of Ovens Street.

- The building contains a wall on part of its northern boundary for its maximum height which can reasonably be matched in the future redevelopment of the site at 20 Ovens Street, noting its future amenity is to be obtained from its western frontage and its northern laneway. A communal private open space area is provided along the balance of the Site's northern boundary.
- To the east, the development contains a wall on boundary where it abuts the Uniting Church land parcels and the individually heritage significant *Baptist Church* (491 Sydney Road) and *Former Dental Surgery and Residence* (503 Sydney Road) which front Sydney Road, and restricts the development potential of these properties to the rear. Thus, the wall on boundary in this location provides the opportunity for these otherwise constrained sites to match this height and position future amenity to the east.
- Above the eastern retained saw-tooth roof, the built form is setback with a minimum 4.5 metres provided which can be equally matched with properties fronting Sydney Road to create a minimum nine metre of building separation and ensure an equitable built form outcome.
- Opportunities for landscaping including added greenery are incorporated throughout the design response, namely the central north-south external circulation areas at each level which provides opportunities for green wall landscaping and within the north-eastern communal open space area.

3.2 Street Activation

The proposal seeks to significantly enhance the immediate public realm through addressing each of the Site's street frontages through the proposed ground floor uses, pedestrian movement and interaction opportunities creating activity to the immediate streetscape and within the Site itself. This includes:

- A large 348sqm ground floor retail space to define the prominent Ballarat and Ovens Street corner, through the adaptive reuse of the retained heritage building and 'making good' the external opening to improve the appearance and create an inviting space.
- A large 206sqm communal *Assemble* space for various resident events and to provide an internal/external connection to the public realm through the reuse of the retained heritage building and associated windows.
- A 4.3 metre wide pedestrian entrance to Ballarat Street bordered by the aforementioned ground floor uses and utilising existing entry location with the heritage façade with a lobby varying 2.8 – 3.8 metres, and a 4.5 metre wide entrance to Ovens Street and continued void on the upper levels. These generous entrances create transitional residential spaces at ground floor promoting resident interaction and movement.
- Walk-up landscaped entrances to dwellings at ground floor fronting Ovens Street, reflective of a traditional inner-city subdivision pattern and terrace house arrangement.
- High use of glazing combined with the architectural fenestration and provision of balconies adds to an interesting and active façade on upper levels.
- Added bicycle movement near-to the Ovens Street pedestrian entrance through the provision of the ground floor lock-up bicycle storage cage.
- Isolation of building services and vehicle accessway away from pedestrian entrances and the ground floor retail uses.

The orientation of the upper level apartments to the Site's street frontages further adds to the passive surveillance and safety of the enhanced public realm.

3.3 Façade Design

The corner site characteristic of the Site enables the architectural design response to be appreciated from various views of the immediate public realm, in particular its relationship to the retained heritage building on-site. The existing building on-site, inner-city locality and industrial past of the immediate area has influenced the built form presentation and the proposed material and colour palette ensuring it comfortably fits with the surrounds as it continues to transit.

Features of the architectural façade presentation are as follows:

- Retention and reuse of the two (2) storey brick and modern heritage building as it presents to Ballarat Street and wraps the corner to Ovens Street and the eastern boundary.
- The proposal 'makes good' the retained heritage building and the existing windows and door openings at ground and first floor to provide an attractive presentation to the streetscape and create a solid base for the new built form to then be recessed and sit above.
- Along Ovens Street streetwall, the heritage elements of the existing building are integrated within the façade with the return walls of the apartments containing a similar red brick detail. This is particularly evident at ground floor where an interpretative element of the existing single storey scale is successfully created at pedestrian level.
- The upper levels of the Ovens Street streetwall contain a lighter and darker grey exposed aggregate concrete which frames the streetwall into four differing elements through the colour contrast and recessions to some apartments and the residential entrance. The materiality and colour composition complements the heritage past with similar industrial textures.
- The framing of the Ovens Street streetwall creates punctured balconies into this façade, further breaking up the perception to the streetscape.
- Above the retained heritage streetwall to Ballarat Street and the renewed Ovens Street streetwall, a lighter ribbed concrete is applied to present as a secondary component above the strong heritage base and streetwall. The upper level balcony treatments to Ovens Street differ to the below framed balustrade treatments, with these projecting to create variation, interest and movement to the façade.
- Balconies above the Ballarat Street streetwall are inverted/punctured into the façade to not detract from the heritage significance at this frontage with projections. This architectural treatment creates depth and visual interest, however, secondary to the building's base.
- Generous provision of glazing to the ground floor retained windows and openings of the heritage building assist in the commercial activation on the Site's strategic corner, further reinvigorating this strategic corner.

3.4 Apartment Layout

The proposal provides a total of 171 apartments with a range of dwelling types and typologies provided, encompassing a mix of studio, one-bedroom, two-bedroom and three-bedroom apartment options as broken down below:

- 45 studio bedroom apartments
- 25 single-bedroom apartments
- 77 two-bedroom apartments
- 24 three-bedroom apartments

The apartments are generally orientated toward the Site's street frontages or central communal open space area to provide an excellent level of internal amenity and are bridged by a common circulation/corridor area with a series of voided spaces providing secondary amenity opportunities. This innovative design response and considered layout of the apartments enhances the user comfort, liveability, attraction, and internal amenity, allowing natural daylight and cross ventilation to be suitably received throughout the building.

Internal and external communal areas are features of the *Assemble Housing Model* with various resident services provided at ground floor to encourage social interaction between residents of the development through recreational activities, communal gardening, functions, events, and resident groups.

3.5 Parking, Access and Loading

On-site car parking is provided within a basement level with vehicle access provided via a new crossover to Ovens Street, in the Site's north-east corner while reinstating the other existing crossovers along this frontage. A total of 75 car parking spaces are to be provided for the convenience of future residents and retail staff.

The building's service and waste areas are also to be provided within the basement area, and a total of 129 secure bicycle parking spaces. A further 78 bicycle parking spaces are provided at ground floor level and Level 01 adjacent to the building's lobby.

Access to the building's upper storeys is granted via three (3) separately located lift services and stairs.

4 Town Planning Context

The Site is located within the MUZ and is affected by H0385, DD018, DCP01 and the EAO pursuant to the provisions of the Planning Scheme. A copy of the DELWP Planning Report is provided at **Appendix B**.

4.1 Zone

The purpose of the MUZ as contained at Clause 32.04 of the Planning Scheme is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.*
- *To provide for housing at higher densities.*
- *To encourage development that responds to the existing or preferred neighbourhood character of the area.*
- *To facilitate the use, development and redevelopment of land in accordance with the objectives specified in a schedule to this zone.*

The MUZ schedule does not contain any local objectives or nominate maximum building height requirements.

Under the provisions of the zone, use of the land for a 'dwelling' is a 'Section 1 – Permit not required' land use, however a permit is required for the construction of two or more dwellings on a lot and must meet the requirements of Clause 58 pursuant to Clause 32.04-6 of the Planning Scheme.

4.2 Overlays

4.2.1 Heritage Overlay – Schedule 385

H0385 applies to '2-6 Ballarat Street, Brunswick – Perucci Shirt Factory (former)'. The purpose of the Heritage Overlay is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To conserve and enhance heritage places of natural or cultural significance.*
- *To conserve and enhance those elements which contribute to the significance of heritage places.*
- *To ensure that development does not adversely affect the significance of heritage places.*
- *To conserve specified heritage places by allowing a use that would otherwise be prohibited if this will demonstrably assist with the conservation of the significance of the heritage place.*

A permit is required to demolish or remove a building and construct a building or construct or carry out works under Clause 43.1-1 of the overlay.

4.2.2 Design and Development Overlay – Schedule 18

DD018 applies to the 'Brunswick Activity Centre – Sydney Road and Upfield Corridor' and is of particular relevance to the Site and proposal, containing the following design objectives:

- *To encourage a new mid-rise built form character with lower built form at the interfaces with the adjoining low rise residential areas.*
- *To complement the valued built form and heritage character along Sydney Road and respect the form, design and context of buildings of individual heritage significance in the precinct.*
- *To ensure the street wall remains the visually dominant element of all development in Sydney Road and that any height above the street wall is visually recessive, subservient and does not dominate the streetscape appearance.*

- To establish a new cohesive built form character in off-corridor locations to the east and west of Sydney Road to achieve an appropriate balance between a sense of enclosure and openness and to ensure new street walls reinforce the existing character of street walls in nominated off-corridor streets.
- To protect the amenity of existing and proposed public open spaces and key pedestrian streets, and maintain reasonable amenity for residential properties within and adjacent to the activity centre.

Map 3 of DDO18, identifies along the Site’s Ballarat and Ovens Streets frontages these as being ‘Frontage Type C Residential’, however these are not recognised as ‘key pedestrian streets’.

The discretionary built form controls of DDO18 as they apply to the Site are as follows:

DDO18 Built Form Controls and Outcomes Applying to the Site	
Preferred maximum building height	<ul style="list-style-type: none"> ▪ 17 metres
Preferred street wall heights and setbacks	<ul style="list-style-type: none"> ▪ Preferred streetwall height of 9 – 12 metres to Ballarat and Ovens Streets. ▪ A preferred five metre setback above streetwalls. Balconies and other architectural features are able to protrude into this setback a preferred maximum of two metres. ▪ Adopt the same street setback for at least 75% of the height of the upper levels to avoid ‘wedding cake’ built form outcomes
Frontage Type C Residential (Ballarat and Ovens Street)	<ul style="list-style-type: none"> ▪ Individual entry doors to ground floor dwellings. Privacy is to be provided by elevating the ground floor approximately 0.5 to 1 metre above street level and/or provide a landscaped front setback.

The built form requirements and design objectives of DDO18 have been a key consideration in the design proposal as addressed at Section 5.2 of this report.

4.2.3 Development Contributions Plan Overlay – Schedule 1

DCPO1 applies across the municipality, requiring development contributions be provided to fund new and upgraded community infrastructure projects and facilities throughout the municipality. Any future development contributions are able to be dealt with at the subdivision stage of the project.

4.2.4 Environmental Audit Overlay

Part of the Site is subject to the EAO, which requires prior to a sensitive use commencing or construction occurring for a sensitive use, the environmental conditions of the land be suitable for such uses.

The requirements of the EAO can be included as a condition on any future approval for the Site and will be undertaken prior to the occupation of the residential use of the Site.

4.3 Particular Provisions

4.3.1 Clause 52.06 – Car Parking

Clause 52.06 of the Planning Scheme requires that prior to a new use or an increase in an existing use, the car parking provision required under Clause 52.06-5 must be provided to the satisfaction of the Responsible Authority.

The Site is located within the PPTN area, therefore the car parking rates in Column B of Clause 52.06-5 apply as follows:

- Where the use is a ‘dwelling’, one car parking space must be provided to each one or two-bedroom dwelling and two car parking spaces provided to each three-bedroom dwelling.
- Where the use is a ‘retail (shop)’ 3.5 car parking spaces must be provided to 100 square metres of leasable floor area.
- Where the use is a ‘office’ (Assemble Office) 3 car parking spaces must be provided to 100 square metres of net floor area.

Accordingly, the development has a statutory requirement to provide 209 car spaces, comprising 194 resident car spaces; 9 spaces for the retail (shop) tenancy; and 6 spaces for the office tenancy as examined by *Traffix Group Pty Ltd*.

The appropriateness of this rate and support for the 76 car parking spaces provided as part of the proposal is detailed in the accompanying 'Traffic Engineering Assessment' prepared by *Traffix Group Pty Ltd* which further informs that no material impact on the operation of the existing road network is anticipated to arise as a result of the proposal.

Further detail regarding the proposed car parking provided on-site, vehicle access requirements and traffic generation is contained within the 'Traffic Engineering Assessment' prepared by *Traffix Group Pty Ltd*.

4.3.2 Clause 52.34 – Bicycle Facilities

Clause 52.34 of the Planning Scheme requires the provision of bicycle facilities before any new use commences. Table 1 to Clause 52.34-1 specifies statutory rates for bicycle parking as follows:

Proposed Land Use	Statutory Requirement		Total Required Bicycle Provision
	Resident/Employee	Visitor/Customers	
Dwelling	In developments of four or more storeys, 1 to each 5 dwellings (171 / 5 = 34)	In developments of four or more storeys, 1 to each 10 dwellings (171 / 10 = 17)	51
Retail	1 space to each 300m ² of leasable floor area (384sqm = 1)	1 space per 500m ² of leasable floor area (348sqm = 0)	1
Office (Assemble Space)	1 space to each 300m ² of net floor area if the net floor area exceeds 1000m ² (206sqm = 0)	1 space to each 1500m ² if net floor area exceeds 1000m ² (206sqm = 0)	0
Total			52

A total of 207 on-site bicycle spaces are provided, with 179 in the building's basement and an additional 28 at ground and first floor level.

As such, the provided number of bicycle spaces greatly exceeds the 52 spaces required by Clause 52.34 of the Planning Scheme.

4.3.3 Clause 58 – Apartment Developments

Clause 58 – 'Apartment Developments' applies to all apartment developments of five or more storeys in the MUZ.

The purpose of Clause 58 is:

- *To implement the Municipal Planning Strategy and the Planning Policy Framework.*
- *To encourage apartment development that provides reasonable standards of amenity for existing and new residents.*
- *To encourage apartment development that is responsive to the site and the surrounding area.*

Following our assessment of the application plans, all Objectives of Clause 58 have been met in the design response, providing an excellent internal amenity and desirable housing option for future residents of the proposal.

An assessment against Clause 58 requirements is provided at **Appendix C** and within the architectural plan package prepared by *FIELDWORK*, highlighting the excellent internal amenity features of the proposed apartments.

5 Key Planning Considerations

5.1 Alignment with Planning Policy

The Site's location within the defined Brunswick MAC dictate that a higher degree of change, function, land use and built form outcomes are to be achieved to the area. Direction 2.2 of *Plan Melbourne 2017-2050* identifies that within MAC's and other designated areas *'There are also opportunities for housing development in and around the central city. There are also opportunities for more medium- and higher-density development in middle suburbs close to services...'*

The proposal responds to the desired outcomes outlined in *Plan Melbourne 2017-2050*, in particular, Outcomes 1 and 2 of *Plan Melbourne 2017-2050* which state that *'Melbourne is a productive city that attracts investment, supports innovation and creates jobs'* and *'Melbourne provides housing choice in locations close to jobs and services'*.

The proposal is to be delivered as part of the *Assemble Housing Model*, which is an innovative housing pathway to home ownership in a clear response to housing affordability policies at planning policies at Clause 16.01-2S (Housing Affordability) of the Planning Scheme, while delivering a sustainable and community focused housing opportunity for a variety of future residents and driving the directions of *Plan Melbourne 2017-2050* for additional, affordable housing in such identified locations as sought by Direction 2.3.

The proposal successfully implements relevant objectives and strategies of the PPF, and local planning policy noting:

Planning Policy Framework

- Provides a mix of uses to the 'Brunswick MAC' including a retail tenancy, communal space and complementing higher intensity residential living in a location highly accessible to the community and future residents as sought by the purposes of the MUZ.
- Positively renews the urban environment through the adaptive reuse of the retained heritage building on-site within a well resolved architectural design response that renews noted heritage features of the building and maintains its streetscape presence, while delivering an enhanced public realm and pedestrian experience. Collectively these create an inviting, functional, enjoyable, and safe environment for future residents and variety of users to the MAC, satisfying objectives and strategies of Clauses 15.01-1S and 15.01-1R (Urban Design).
- Provides an architectural and urban design outcome that has appropriately responded to and retained noted heritage characteristics of the existing building on-site, adaptively re-using, enhancing, and conserving such elements in recognising the architectural and cultural significance as required by Clause 15.03-1S (Heritage Conservation). The built form design response further appreciates the redevelopment potential of nearby properties and provides an attractive public realm outcome in responding to Clause 15.01-2S (Building Design) objectives and strategies.
- Increases housing density and supply within an established urban are and identified housing opportunity area pursuant to Clause 16.01-1S and 16.01-1R (Housing Supply), with excellent access to nearby jobs, services, and public transport in response to its strategies regarding location of new housing.
- Responds to the housing affordability issues evident across Melbourne and further provides a diversity of housing within a community sense through the *Assemble Housing Model*, responding to objectives and strategies at Clause 16.01-2S (Housing Affordability).

Local Planning Policy Framework

- Clause 21.02 contains Council's Vision with a focus on providing sustainable neighbourhoods with an emphasis on the social, cultural, environmental, and economic wellbeing of the population. The variety of uses proposed in the Site's redevelopment and overall enhancements responds to this vision and the strategic direction for 'Activity Centres', which includes the Brunswick MAC, identified to accommodate the most significant change across the municipality.
- Responds to Strategic Direction 3 within Clause 21.02 for 'housing', where significant housing growth is to occur with increased housing densities in the form of apartments and townhouses as contemplated by

this application. The provision of affordable housing provides housing diversity as sought by Council's vision with the enhanced public realm and above standard ESD commitments further responding to other strategic directions of Clause 21.02.

- Council's strategic framework at Clause 21.03, expands upon the Council Vision and further encourages and recognises that within MACs such as Brunswick, the greatest extent of change in land use and built form is to occur. The proposal is consistent with relevant objectives and strategies of this policy through:
 - Provision of additional retail and community uses as sought by Objective 1 and associated strategies.
 - Provision of 'substantial growth' to the Brunswick MAC as sought by Objective 2 and its associated strategies.
 - An increase in housing diversity, density and affordability to the Brunswick MAC as sought by Objectives 7, 8 and 9.
 - Appropriately responding to the retained heritage building on-site and positively enhancing the public realm through improving its appearance with added activity enhancing pedestrian movement within the immediate area as sought by Objective 10 and its strategies.
 - Provision a highly desirable housing option with high performance ESD standards, including daylight receipt, cross-flow ventilation, and outlook consistent with Objective 11 and its strategies and commitment to exceed standard ESD requirements of Objective 12.
- Responds to the policy objectives of Clause 22.01 for '*substantial change areas*', contributing a new built form character with increased density and scale as sought by DDO18 applying to the Brunswick MAC.
- Provides and promotes sustainable transport modes in response to Clause 22.03 objectives through the Site's proximity to the Brunswick Railway Station and location within the Brunswick MAC; the exceedance of bicycle parking numbers in excess of Clause 52.34 requirements; the additional and enhanced pedestrian connections provided.
- Appropriately responds to Clause 22.06 policy requirements regarding heritage through:
 - Recessing back the new built form to create a clear distinction between the old and the new and ensuring the existing heritage significance is relevantly retained and adapted in the design response.
 - Retention of the significant heritage features and 3D form of the building through the returned frontages to Ovens Street and eastern boundary interface, with a generous 6.5 metre setback provided for the upper level built form to Ballarat Street.
 - The corner site attribute of the Site enables it to be perceived from various angles of the public realm, and its overall existing appearance improved and 'made good'.
 - The façades of the new build appropriately reference the industrial in a contemporary design response.
- The four central lightwells to the central circulation space all exceed the minimum 4.5 metre width and 29sqm area requirement of Clause 22.07, maintaining a minimum five metre width and areas ranging from 40 – 62.5sqm, in providing adequate daylight to secondary habitable areas of these dwellings and enabling natural cross ventilation to all dwellings.
- The minimum setback to the east at 4.5 metres varies Clause 22.07 policy requirements. However, when accounting for the reasonable development expectations of the eastern Sydney Road properties this setback is able to be appropriately matched to create a minimum total nine metre building separation. This separation provides an equitable outcome in response to Clause 22.07 policy objectives.
- The separation is also on a north-south axis, thus considered to provide adequate daylight receipt noting that Clause 22.07 does not consider site orientation, site location, dwelling layouts and predates Clause 58 requirements. When balanced and considered against the ESD performance to be applied to the dwellings; their response to Clause 58 objectives; daylight receipt; additional communal amenities on-site; and the significant community benefits of the proposal the minor variation to local policy at Clause 22.07 this eastern interface is appropriate.

- The proposal will be benchmarked against the Built Environment Sustainability Scorecard ('BESS') with a targeted 70% rating in line with 'design excellence' and an excellent ESD rating in response to Clause 22.08 requirements as outlined in the 'Sustainability Management Plan' prepared by *Atelier Ten*.

5.2 Community Benefits

The delivery of the proposal through the *Assemble Housing Model* and the associated design response provides significant, broader community benefits through:

- 70% of apartments to be provided as 'affordable' housing to low-moderate income households, consistent with Victorian State Government definitions and through a clear diversity in dwellings.
- Retention and adaptive re-use of the historic and previous *Perucci Shirt Factory (former)* along the Site's Ballarat Street and its corners.
- Positive enhancements and investments to the public realm through the provided ground floor uses, creating activity, attraction and interaction for future residents and the general public.
- Enhanced east-west and north-south pedestrian links adjacent to the Site, in particular recognising the role of Ballarat Street and its eastern connection to Sydney Road and western connection to the Upfield Rail Corridor and Brunswick Railway Station.
- Additional employment and job opportunities during the project construction phase and post-construction through the ground floor uses provided.
- An excellent architectural and landscape design response that offers visual interest to the changing environs.
- Commitments to excel in standard ESD requirements.

5.3 Built Form and Urban Design Outcomes

The proposed building massing and scale are appropriate for the Site and its context and in response to DDO18 requirements and immediate area for the following reasons:

- Appropriately retention and reuse of the existing heritage building on-site and its contribution to the streetscape, maintaining its appearance to Ballarat Street, depth to Ovens Street and the eastern boundary, and 3D form through the returned façades and 6.5 metre setback of the upper level to Ballarat Street. This is consistent with Council local policy and H0385 requirements.
- The retention of the heritage building to Ballarat Street does not allow the streetwall height of DDO18 to be achieved at this frontage. A clear difference between the old and new built form is however achieved at this interface through the provided 6.5 metre setback (in excess of DDO18 requirements) and change in materiality.
- The upper level setbacks to the Ballarat Street frontage do not result in unreasonable overshadowing to the southern side of Ballarat Street, with the noted recessed uppermost level at 9.3 metres enabling sunlight penetration to be received at 12pm on the September 22 equinox at a pedestrian height.
- To Ovens Street, a minor variation to the preferred 12 metre streetwall height is proposed with an approximate 13.85 metre (14.2 metres above NGL) proposed in the design response. This height is acceptable and complementary to the existing approval at 8 Ballarat Street, creating a sense of enclosure to the streetscape as sought by DDO18 requirements.
- Similarly, the building's maximum height at eight storeys is appropriate noting the Site characteristics and reflective of this recent approval at 8 Ballarat Street which collectively will create a new mid-rise built form character off Sydney Road as sought by DDO18.
- The upper levels to Ovens Street have been informed by a 1:1 street width ratio, consistent with DDO18 requirements. A minor encroachment into this ratio is sought on the two uppermost levels. Through the grouping of Levels 4 – 6 and further setback of Level 7 this enables compliance with DDO18 requirements being to '*Adopt the same street setback for at least 75% of the height of the upper levels to avoid 'wedding cake' built form outcomes*'.
- The uppermost minimum setback to Ovens Street further ensures this is top level is recessed and hidden in its presentation to the immediate public realm, while no unreasonable overshadowing occurs to the

western footpath of Ovens Street or the ground floor apartments of the approved development at 8 Ballarat Street, Brunswick.

- While variations to the upper level setbacks are sought in the building's presentation to the streetscape, the objectives, and requirements of DDO18 continue to be met in the design response namely:
 - Creation of a new mid-rise built form character.
 - Remaining respectful of the retained heritage building on-site.
 - Achieving a balance between a sense of enclosure and openness to Ballarat and Ovens Streets through the retained and provided streetwalls and associated setbacks to the upper levels.
- The provision of red brick planters and terracotta colour precast walls along the Ovens Street streetwall, integrates the heritage built form character of the corner building along this street front in a contemporary design. The balance of the materials comprising light and grey concrete to the Ovens Street streetwall and ribbed lighter concrete on the uppermost levels complements the heritage characteristics and modern retained building while acknowledging the immediate areas historic industrial past. The colour palette of the upper levels ensures these are perceived secondary to the strong streetwall base/presence which is a clear directive of DDO18.
- The differing treatments to balconies at the lower and upper levels through the punctures and projections respectively, creates added articulation to the façade through visual interest and movement when observed from differing angles of the public realm.
- Enhanced activation is provided at ground floor level through the adaptive re-use of the heritage building and improving its windows and opening through new glazing which alongside the retail and community uses activates the public realm and enlightens the Site's existing conditions.
- Appropriate siting of building services to not detract from the added activation and integrated as part of the design response as sought by DDO18.

5.4 Management of Adjoining Interfaces

The Site has appropriately responded to its adjoining northern and eastern interfaces, in recognising their equitable development potential given their location within the Brunswick MAC while also considering the existing heritage buildings and place fronting Sydney Road. In particular the individual Heritage Overlays applying to the Uniting Church at 491-503 Sydney Road, Brunswick, that to a reasonable extent limit their opportunities.

We note the following of the design response in the proposal's presentation to the north and east:

- To the north, the provided wall on boundary can be appropriately matched in the anticipated redevelopment of the site at 20 Ovens Street, which will obtain its amenity from the north and western outlook to Ovens Street.
- To the east, where the building contains a wall on boundary this is to the rear of Uniting Church land parcels. When considering the heritage significance of the existing buildings on these two sites, this restricts their redevelopment potential to the rear. As such, as part of their future redevelopment these properties are able to appropriately match the wall on boundary while maintaining the heritage integrity of the front heritage buildings.
- Further to the south-east of the Site and above the retained saw-tooth roof, the built form is stagnated with a minimum 4.5 metres provided which can be equally matched with properties fronting Sydney Road to create a minimum nine metre of building separation and provide adequate separation for daylight receipt to internal areas of proposed and future apartments and remove any reliance of future overlooking treatments pursuant to Clause 55.04-6 of the Planning Scheme.

Accordingly, the proposal will not impact on the reasonable development potential of these northern and eastern properties and the existing heritage buildings fronting Sydney Road.

5.5 Internal Amenity for Future Occupants

The proposed use and development of the Site responds to the need to provide additional affordable housing opportunities within inner-city localities and provides an excellent internal amenity and highly liveable lifestyle choice for future residents.

The internal layouts of each of the dwellings are generous and well-conceived in response to market demand following the recent approval and balloting process of the *Assemble Housing* project at 393-399 Macaulay Road, Kensington through Planning Permit TP-2018-360.

With respect to this proposal we note the following:

- The diversity of dwelling types across the proposal, with a range of studio, one-bedroom, two-bedroom and three-bedroom options.
- All dwellings are designed and oriented to receive excellent daylight and solar access to their principal living areas taking advantage of the Site's significant land size area and two (2) street frontages. Secondary amenity is afforded to the dwellings via the central communal corridor area where bedrooms (generally secondary) are positioned, with appropriately sized light courts provided in excess of Clause 22.07 requirements.
- Each dwelling is accessible via easily identifiable pedestrian entrances to the enhanced streetscape of Ballarat and Ovens Streets at ground floor with generous transitional space and via the basement level through the provision of lift and stair facilities.
- Each dwelling is provided with sufficient secluded private open space in the form of terraces, with an area between 8 – 63sqm with direct access from the dwelling's primary living area.
- All dwellings are designed to contain natural cross-flow ventilation through the provided open central circulation, which further creates a sense of community and opportunities for resident interaction at each level, enhancing their liveability and attraction.
- Each dwelling has been designed in accordance with the objectives of Clause 58 of the Planning Scheme, notably exceeding the cross ventilation Standard, and complying with relevant accessibility, room depth, private open space and living area objectives of Clause 58.
- A key feature of the proposal is the communal spaces at ground floor level and rooftop terrace area, providing additional resident amenities and opportunities for social community interaction.
- Provision of 207 lock-up bicycle spaces, greatly in excess of Clause 52.34 statutory requirements.
- Generous provision of external storage space within the building's basement and internal storage space within the dwellings themselves.

The Site's location within the Brunswick MAC further affords future resident excellent access to existing and planned nearby facilities and services, as well as being located within close proximity to the Brunswick Railway Station connecting the Site to the PPTN.

5.6 Management of Offsite Amenity Impacts

The Site does not contain any direct abutments to sensitive interfaces. The proposed use and development will further not unreasonably impact upon existing commercial or residential uses in the near vicinity of the Site in particular when accounting for the anticipated change and redevelopment of the Brunswick MAC in-line with DDO18 objectives and requirements.

The below assessment considers the amenity impacts caused in respect of overlooking and overshadowing with the built form and visual amenity impact covered in Sections 5.2 and 5.3 above.

Overlooking

- Given the Site's corner site characteristic and no sensitive uses adjoining its boundaries, no unreasonable overlooking will arise.
- The recently approved apartments at 8 Ballarat Street are separated approximately 12 metres from the Site given the width of Ballarat Street, notably greater than the nine metre overlooking requirement prescribed at Clause 55.04-6 of the Planning Scheme if it otherwise applied.
- The walls on boundaries to the Site's south-east do not contain any windows. Otherwise the minimum 4.5 metre setback applied at this eastern interface, caters for the development expectations of properties fronting Sydney Road. When this provided setback is matched, a minimum nine metre building separation

is provided thus satisfying the requirements at Clause 55.04-6 of the Planning Scheme. Therefore, no future unreasonable overlooking is anticipated to occur.

Overshadowing

- Given the scale and size of the proposal the overshadowing provisions of Clause 55.04-5 do not apply. However, they have been reasonably considered in the architectural package prepared by *Fieldwork*, particularly as the building relates to the western side of Ovens Street and dwellings approved at 8 Ballarat Street.
- Noting neither Ballarat or Ovens Streets are identified as 'key pedestrian streets' within DDO18, the design objectives and requirements of the control do not seek solar protection to the public realm. Notwithstanding, while reduced setbacks above the 1:1 street to height ratio occur for the upper levels, this does not result in unreasonable overshadowing to the public realm of Ballarat or Ovens Streets. As shown in the shadow diagrams, by 10:30-11am there is no shadow to the western footpath of Ovens Street and the shadow to the southern Ballarat Street at 12pm is limited to one metre above the footpath height enabling adequate sunlight to be received to pedestrian uses of this street.
- When balanced against the ultimate enhancement of the public realm on the northern side of Ballarat Street and the eastern side of Ovens Street; the limited time the shadow cast occurs; other aspirations of the PPF in respect of optimising development opportune sites such as this; and the provision of affordable housing, the extent of shadow cast to these footpaths is considered appropriate.

5.7 ESD Performance

With regards to the ESD performance of the building we rely upon the 'Sustainability Management Plan' prepared by *Atelier Ten*, however note the following ESD features to be incorporated in the proposal:

- Benchmarked against BESS requirements, with a targeted 70% rating in line with 'design excellence' in exceeding the minimum 50% requirement and in response to Clause 22.08 requirements.
- Use of robust materials throughout the building, with pre-cast concrete to be noted primary structural material for durability and thermal mass performance.
- Natural cross-flow ventilation to each apartment through the provided open circulation areas. This passive design feature limits the reliance on mechanical heating and cooling throughout the year.
- High performance glazing and appropriate fenestration ratios to reduce thermal loads and provide natural light to habitable areas of each apartment.
- Promotion of sustainable transport modes such as walking and cycling, vastly exceeding the statutory requirement for bicycle parking contained at Clause 52.34 of the Planning Scheme.

6 Conclusion

As outlined in this submission, the proposed use and development of the land at 2-6 Ballarat Street and 14-18 Ovens Street, Brunswick appropriately meets the policy requirements and strategic direction of the Planning Scheme.

The location of the Site within the Brunswick MAC provides all necessary justification for the Site's urban renewal in the form and scale proposed and the anticipated and continually changing character of the immediate environs.

More specifically, the proposal:

- Aligns with key objectives and strategies of State and local planning policy through the provision of additional, affordable and a diversity of housing within an identified Major Activity Centre and forecast population growth.
- Contributes towards the significance of the Brunswick MAC through a community led development with increased housing, jobs, and economic activity.
- Provides a mixed-use development with an improved and enhanced public realm and pedestrian connections through a considered architectural and urban design response which has appropriately acknowledged and responded to the existing heritage building on-site and revitalising its presence.
- Does not unreasonably impact upon nearby existing residential properties or the public realm in context of the Site's location within the Brunswick MAC.

On this basis, it is considered the proposal provides a well resolved design outcome for this strategic site and will deliver a significant net-community benefit to the immediate and broader area and warrants approval.

Appendix A

Copy of Title

Appendix B

DELWP Planning Report

Appendix C

Clause 58 Assessment